

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

JEFF HATCH-MILLER, CHAIRMAN

WILLIAM A. MUNDELL

MIKE GLEASON

KRISTIN K. MAYES

BARRY WONG

2006 NOV 13 P 2:13

AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

NOV 13 2006

DOCKETED BY

hr

IN THE MATTER OF THE APPLICATION OF
ALLTEL COMMUNICATIONS, INC. FOR
DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER
PURSUANT TO SECTION 214(e)(2) OF THE
COMMUNICATIONS ACT OF 1934

Docket No. T-03887A-03-0316

**RESPONSE TO STAFF MOTION
FOR AN ORDER ACCEPTING
ALLTEL'S RELINQUISHMENT OF
ITS ETC STATUS**

ALLTEL Communications, Inc. hereby responds to Staff's Motion for an Order Accepting
ALLTEL's Relinquishment of its ETC Status in Arizona.

ALLTEL agrees with Staff that, to the extent that it is still in place, the ETC designation for
ALLTEL in Arizona that was conditionally awarded in Decision No. 67403 (the Designation)
should be rescinded. Paragraphs 69 through 71 of the Designation in the section entitled
"Conditional Approval" made the designation conditioned on ALLTEL accepting the Designation
and meeting certain requirements set forth in Paragraph 72. ALLTEL submitted a letter on
December 15, 2004, indicating that it was not able to meet the conditions of the Designation and
therefore declined the Designation. ALLTEL believed that, upon the submission of the letter, the
Designation was no longer effective.

ALLTEL understands that Commission Staff is concerned that the Designation may still be
in effect. As noted above, ALLTEL is not contesting the formal rescission of the Designation
based on its letter of December 15, 2004 but strongly believes that the facts and law do not support
any additional findings related to whether or not the Company is in compliance with the conditions
of ETC designation.

ROSKA DEWULF & PATTEN, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 RESPECTFULLY SUBMITTED November 13th, 2006.

2 ALLTEL COMMUNICATIONS, INC.

3
4 By 

5 Michael W. Patten
6 ROSKA DEWULF & PATTEN, PLC
7 One Arizona Center
8 400 East Van Buren Street, Suite 800
9 Phoenix, Arizona 85004
10 (602) 256-6100

11 **ORIGINAL + 13 COPIES** of the foregoing
12 filed November 13th, 2006, with:

13 Docket Control
14 ARIZONA CORPORATION COMMISSION
15 1200 West Washington
16 Phoenix, Arizona 85007

17 **COPIES** of the foregoing hand-delivered
18 November 13th, 2006, to:

19 Teena Wolfe, Esq.
20 ALJ, Hearing Division
21 ARIZONA CORPORATION COMMISSION
22 1200 West Washington
23 Phoenix, Arizona 85007

24 Maureen Scott
25 Legal Division
26 ARIZONA CORPORATION COMMISSION
27 1200 West Washington
Phoenix, Arizona 85007

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

Jeff Crockett
Snell and Wilmer
One Arizona Center
400 East Van Buren
Phoenix, Arizona 85004

Mary Applegate

ROSHKA DeWULF & PATTEN, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800